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Attorney for Plaintiff

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

Saul James Morales,  
Plaintiff,

vs.

Kilolo Kijakazi, Acting  
Commissioner of Social Security,  
Defendant.

Case No. 1:21-cv-01493-ADA-GSA  
STIPULATION AND PROPOSED  
ORDER FOR EXTENSION OF  
TIME

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from September 26, 2022 to November 25, 2022, for Plaintiff to serve on defendant with Plaintiff's Motion for Summary Judgment. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's second request for an extension of time. In the months of May through July 21, 2022, Counsel has received an influx of Social Security Certified Administrative Records (CAR). A review of the records received shows

1 Counsel has received at least 50 CARs, the majority of which were filed in June  
2 2022. This has caused an unusually large number of cases that have merit briefs  
3 due in the months of August and September. For the weeks of September 26, 2022  
4 and October 3, 2022, Counsel currently has 17 merit briefs, and several letter briefs  
5 and reply briefs. Additional time is needed to thoroughly brief this matter for the  
6 Court.

7 Also, as previously reported, Counsel for Plaintiff underwent major  
8 orthopedic surgery in March 2022, requiring significant physical therapy. This has  
9 required Plaintiff's counsel to take time off during the work week and work  
10 months since then. Although much improved, Counsel still participates in regular  
11 physical therapy two to three times per week. Lastly, Counsel for Plaintiff and his  
12 husband are expecting their fourth child through surrogacy and time off or a  
13 reduction in workhours during the last week of October 2022 is expected.

14 Defendant does not oppose the requested extension. Counsel apologizes to  
15 the Defendant and Court for any inconvenience this may cause.

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17 Respectfully submitted,

18 Dated: September 12, 2022 PENA & BROMBERG, ATTORNEYS AT LAW  
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20 By: /s/ Jonathan Omar Pena  
21 JONATHAN OMAR PENA  
22 Attorneys for Plaintiff  
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24 Dated: September 12, 2022 PHILLIP A. TALBERT  
25 United States Attorney  
26 PETER K. THOMPSON  
27 Acting Regional Chief Counsel, Region IX  
28 Social Security Administration

1 By: *\*/s/ Elizabeth Kathleen Yates Landgraf*  
2 Elizabeth Kathleen Yates Landgraf  
3 Special Assistant United States Attorney  
4 Attorneys for Defendant  
5 (\*As authorized by email on September 12, 2022)

6  
7 **ORDER**  
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9 Pursuant to stipulation,  
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11 IT IS SO ORDERED.

12 Dated: **September 16, 2022**

13 **/s/ Gary S. Austin**  
14 UNITED STATES MAGISTRATE JUDGE  
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